

### REMARKS

Claims 42-52, 91-145 are pending, of which claims 42, 91, 99, 106, 111, 121, 126, 131, 136, and 141 are independent. Claims 1-41 and 53-90 are canceled. By virtue of this amendment, claims 42, 45, 91-99, 106, 111, 113-114, 116, 118-119, 121, 126 and 136 are amended. No new matter has been added.

Claims 42-45, 48-52, 91-94, 98-101, 105-108, 110, 111, 113-123, 126, 127, 129, 131-134, 136, 140-143 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 5,819,028 to Manghirmalani et al. (Manghirmalani). Claims 46, 47, 95-97, 102-104, 109, 112, 124, 125, 130, 135, 144, 145 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manghirmanlani in view of U.S. Patent No. 6,064,984 to Ferguson et al. (Ferguson).

Regarding the rejections of independent claims 42, 91, 99, 106, 111, 121, 126, 131, 136, and 141 under 35 U.S.C. 102(b) as being anticipated by Manghirmalani, Applicant respectfully submits that Manghirmalani does not disclose or suggest all of the features recited in the above-listed independent claims.

For example, claim 42 recites:

“An electronic interface for collecting information for a data picture, the interface comprising:  
a data palette providing a set of data parameters available for selection, said set of data parameters including at least some corresponding to predefined statements concerning an action and/or a transaction; and  
a data canvas on which a selected set of one or more of said set of data parameters can be displayed and arranged arbitrarily by a user to generate the data picture,  
wherein the data picture includes a display of a graphical arrangement of the selected set of data parameters relative to one another, the graphical arrangement being configured by the user within the data canvas...”

The Office Action attempts to equate the claimed “data canvas” with dial meters 1301 (and/or 1302 and/or 1303) of FIG. 13 of Manghirmalani (see Office Action, page 3, paragraph 2, stating, “Examiner interprets danger zoom for canvas 1301, 1302, and 1303...”). Also, in response to Applicant’s arguments in the response of March 23, 2005, the Office Action appears

not to dispute that Manghirmalani fails to disclose certain features disclosed in Applicant's description, and instead relies on what the Examiner alleges to be the broadest reasonable interpretation of the claims in order to craft a rejection based on Manghirmalani (see Office Action, page 17).

In response, Applicant respectfully submits that various features of claim 42 are neither disclosed nor properly suggested by Manghirmalani, under any reasonable reading of that reference. For example, claim 42 recites, "a data canvas on which a selected set of one or more of said set of data parameters can be displayed and arranged arbitrarily by a user to generate the data picture..."

With regard to the meter dial 1301 of Manghirmalani, however, a plurality of metrics (e.g., "MIB objects") are selected for a particular type of computer device and/or network (see box 1204 of FIG. 12), and then aggregated according to a defined formula (see box 1202 of FIG. 12). Based on this formula, the meter dial 1301 visually displays a "health" of the device/network, using currently-monitored conditions thereof.

Therefore, the metrics (e.g., "MIB objects") are not "displayed on" the dial meter 1301, and neither are the metrics "arranged arbitrarily by a user," as recited in claim 42. For example, the dial meter 1301 displays, at best, a health of a network/device on a scale of 1-10, so that a viewer of the dial meter 1301 who merely sees that a reading of the dial meter 1301 is a "6" has no information about the underlying MIB objects. Therefore, the MIB objects are not "displayed on" the dial meter 1301, as required by claim 42. Further, the MIB objects are not "arranged arbitrarily (on)" the dial meter 1301. That is, even assuming arguendo that the MIB objects are selected "arbitrarily," it is only within the context of the window 1204, and being selected arbitrarily is not the same as being "arranged arbitrarily," as recited in claim 42. For example, since the MIB objects are not "displayed on" the dial meter 1301, as just described, then there are no metrics to be arranged on the dial meter 1301, arbitrarily or otherwise. In any case, even to the extent that the Examiner attempts to equate the described configuration of the dial meter 1301 of Manghirmalani with the claim language recited above (see, e.g., Office Action, page 3, paragraph 2), Manghirmalani discloses that such configuration is not "arbitrary," but, rather, is performed according to a pre-defined formula (see, e.g., Manghirmalani, column 12, lines 16-20).

Based on the above discussion, Applicant submits that it follows that Manghirmalani does not disclose or properly suggest the limitation(s) of, “wherein the data picture includes a display of a graphical arrangement of the selected set of data parameters relative to one another, the graphical arrangement being configured by the user within the data canvas.” That is, as just described, Manghirmalani does not disclose or properly suggest, “a display of a graphical arrangement of the selected set of data parameters relative to one another,” since the alleged “data parameters” (i.e., the MIB objects) are not, in fact, displayed according to a “graphical arrangement” within the meter dial 1301 of Manghirmalani, either “relative to one another” or otherwise. Accordingly, Manghirmalani does not disclose or suggest such a graphical arrangement being “configured by the user within the data canvas,” as recited in claim 42. Accordingly, claim 42, along with its dependent claims 43-52, are believed to be allowable for at least the same reasons.

The same or similar comments apply to independent claims 91, 99, 106, 111, 121, 126, 131, 136, and 141, so that these claims, along with their respective dependent claims, are believed to be allowable for at least the same or similar reasons.

Accordingly, all pending claims are believed to be in condition for allowance, and such action is requested in the Examiner’s next official communication.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

Serial Number: 09/945,099

Filing Date: August 31, 2001

Title: Interface and Method Adapted for Capturing Subjective Preferences of Program Users

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Dkt: 0006-003004

The Examiner is invited to telephone Applicant's attorney (703-286-5735) to facilitate prosecution of this application.

Respectfully submitted,

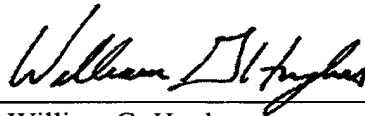
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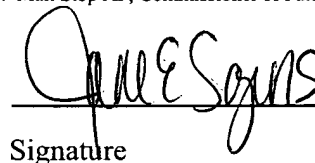
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of August, 2005.

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